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*Attorneys for Proposed Lead Plaintiff  
The New York City Employees' Retirement System*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION**

MARTIN VOGEL and KENNETH  
MAHONEY, on Behalf of Themselves and  
All Other Similarly Situated,

Plaintiffs,

v.

STEVEN JOBS, PETER OPPENHEIMER,  
FRED ANDERSON, WILLIAM V.  
CAMPBELL, MILLARD S. DREXLER,  
ALBERT GORE, Jr., ARTHUR D. LEVINSON,  
JEROME B. YORK and APPLE COMPUTER,  
INC.,  
Defendants.

Case No.: C06-05208-MHP

**NOTICE OF HEARING ON THE NEW  
YORK CITY EMPLOYEES  
RETIREMENT SYSTEM'S MOTION  
FOR ITS APPOINTMENT AS LEAD  
PLAINTIFF AND FOR APPROVAL OF  
ITS SELECTION OF COUNSEL**

Date: February 23, 2007

Time: 9:00 a.m.

Dept.: Courtroom 3, 5<sup>th</sup> Floor

Judge: The Honorable Marilyn H. Patel

**TO: ALL PARTIES AND THEIR COUNSEL OF RECORD:**

PLEASE TAKE NOTICE that on February 23, 2007 at 9:00 a.m., or as soon thereafter  
as the matter may be heard in Court 3, Fifth Floor of the above-entitled court, located at 191  
North 1<sup>st</sup> Street, San Jose, California, a hearing will be held on the The New York City

Notice of Hearing on the New York City Employees'  
Retirement System's Motion for its Appointment as Lead Plaintiff  
And for Approval of its Selection of Counsel  
Case No. C06-05208-MHP

1 Employees' Retirement System's motion for an order appointing it as lead plaintiff and Grant  
2 & Eisenhofer as lead counsel.

3 The motion will be based on the motion filed, the Memorandum of Law filed, the  
4 pleadings, records and papers filed herein, and such other and further oral and documentary  
5 evidence and legal memoranda as may be presented at or by the hearing on said motion:  
6

7 Dated: January 10, 2007

8 Respectfully submitted,

9 **GRANT & EISENHOFER P.A.**

10 /s/ Mary S. Thomas

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23 *Attorneys for Proposed Lead Plaintiff*  
24 *The New York City Employees' Retirement System*

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